

REMARKS

At the outset, Applicants thank the Examiner for reviewing and considering the present application. Briefly, a Request for Continued Examination (RCE) was filed on January 30, 2007 with an Information Disclosure Statement (IDS). Applicants respectfully request that the Examiner return a signed copy of the PTO/SB/08 Form confirming consideration of the material cited. The Office Action dated August 30, 2006, has been received and reviewed.

By this Amendment, claims 1, 4, 7, 11, 15, 27 and 38 are amended and new claims 41-82 are added. No new matter has been added. Claims 23-25 and 30-31 were previously canceled. Accordingly, claims 1-22, 26-29 and 32-82 are currently pending. Reexamination and reconsideration is respectfully requested.

Applicants acknowledge and thank Examiners Rita Patel and Michael Barr for the courtesies extended to Applicants' representative during the February 27, 2007 personal interview with the Examiners. The substance of the interview is discussed below and constitutes a record of the interview.

The Office Action objects to the Abstract. The Abstract has been replaced with a substitute Abstract to obviate the objection. Accordingly, withdrawal of the objection to the Abstract is respectfully requested.

Claims 1, 7, 15, 16, 18-20, 26 and 38 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,266,855, issued to *Smith et al.* (hereinafter "*Smith*"). Applicants respectfully traverse this rejection.

Claims 1 and 15 recite, among other features, the bearing supporting part and the stator fastening part are disposed between the inner surface and the outer surface of the tub rear wall.

Claim 7 recites, among other features, the bearing supporting part and the stator fastening part are disposed between the inner surface and the outer surface of the tub.

As discussed during the personal interview, *Smith* does not disclose at least these claimed features. *Smith* discloses that bearing moldings 27, 28 have an external angle 36 in which the inner corner 37 of stator 25 fits with an interference fit. See column 5, lines 47-58. The external angle 36 of the bearing moldings 27, 28 is not disposed between the inner surface and the outer surface of the tub/tub rear wall. See *Smith* at Figure 2.

Accordingly, Applicants respectfully submit that claims 1, 7 and 15 recite patentable subject matter.

Furthermore, claim 38 recites, among other features, fastening parts formed with the insulator, having fastening holes at portions of the fastening parts projected toward an inside of the helical type core, and fasteners for fastening the stator to the bearing housing via the fastening holes.

As discussed during the personal interview and above, *Smith* discloses using an interference fitting to attach a stator to a bearing molding 27 and 28. See *Smith* at column 5, lines 47-58. Accordingly, Applicants respectfully submit that claim 38 recites patentable subject matter.

Claims 16, 18-20 and 26, which variously depend from the respective independent claims, are also patentable for at least the same reasons as discussed above.

Claims 2-6, 8-14, 17, 21-22, 27-29, 32-37, 39 and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over “*Smith*”. Applicants respectfully traverse this rejection.

Claims 4 recites, among other features, the bearing supporting part and the stator fastening part are disposed between the inner surface and the outer surface of the tub rear wall.

Claims 11 and 27 recite, among other features, the bearing supporting part and the stator fastening part are disposed between the inner surface and the outer surface of the tub.

As discussed above, *Smith* does not disclose at least these claimed features. *Smith* discloses that bearing moldings 27, 28 have an external angle 36 in which the inner corner 37 of stator 25 fits with an interference fit. See column 5, lines 47-58. The external angle 36 of the bearing moldings 27, 28 is not disposed between the inner surface and the outer surface of the tub/tub rear wall. See *Smith* at Figure 2. Accordingly, Applicants respectfully submit that claims 4, 11 and 27 recite patentable subject matter.

Applicants submit that claims 2-3, 5-6, 8-10, 12-14, 21-22, 28-29, 32-37, 39 and 40 are patentable at least since they includes the features of the respective independent claims, which are neither disclosed nor suggested by *Smith*, as stated above. Accordingly, Applicants respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

Regarding newly added claim 41, as discussed with respect to, for example, claim 7, *Smith* does not disclose or suggest at least “the bearing supporting part and the stator fastening part are disposed between the inner surface and the outer surface of the tub.”

Regarding newly added claim 42, as discussed with respect to, for example, claim 38, *Smith* does not disclose or suggest at least “fastening parts formed with the insulator and having fastening holes, wherein fasteners fasten the stator to the stator fastening part via the fastening holes.”

Regarding newly added claim 43, *Smith* does not disclose or suggest at least “the bearing supporting part and the stator fastening part are inserted into a tub rear wall, and an inserted portion of the stator fastening part is directly coupled to the stator.”

During the personal interview, it was alleged that *Smith* discloses bearing frames 32, 33, which correspond to the claimed stator fastening part. Although not necessarily agreeing with

this allegation, if this interpretation was to be followed, Applicants respectfully submit that the bearing frame 33 is outside the tub rear wall while the bearing frame 32 is within the tub rear wall. See Fig. 2 of *Smith*. Therefore, clearly, *Smith* does not disclose or suggest the above-noted features of claim 43.

If Applicants were to elaborate a bit farther, the stator is coupled only to the bearing frame 33, and not to the bearing frame 32. The bearing frame 32 is formed separately from bearing frame 33 and does not couple to the stator even though it is inserted into the tub rear wall. In other words, bearing frame 33 is coupled to the stator but is outside the rear tub wall. However, for sake of argument, if both bearing frames 32 and 33 are regarded as a single unit, then Applicants respectfully submit this single unit does not have a stator that is directly coupled to that bearing frames' portion that is inserted into the tub rear wall. Therefore, whichever way the bearing frames 32 and 33 are construed, they do not disclose or suggest the bearing supporting part and the stator fastening part are inserted into a tub rear wall, and an inserted portion of the stator fastening part is directly coupled to the stator, as recited in claim 43. Accordingly, claim 43 recites patentable subject matter.

Regarding newly added claim 51, *Smith* does not disclose or suggest at least "the bearing supporting part and the stator fastening part are buried in a tub rear wall."

As discussed during the personal interview, *Smith* does not disclose at least these claimed features. *Smith* discloses that bearing moldings 27, 28 have an external angle 36 in which the inner corner 37 of stator 25 fits with an interference fit. See column 5, lines 47-58. The external angle 36 of the bearing moldings 27, 28 is not buried in the tub rear wall. See *Smith* at Figure 2.

Likewise, claims 44-50 and 52-82, which variously depend from the respective independent claims, are also patentable for at least by virtue of their dependency from the respective independent claims.

This application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicants' representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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